

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LARRY EUGENE LOVELESS,

Defendant.

Hon. Robert J. Jonker

Case No. 1:22-cr-00180

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged by Indictment with distribution of fentanyl, in violation of 21 U.S.C. §§ 814(a)(1), 841(b)(1)(C) and 18 § 2. Given the nature of the charge, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis the he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on December 27, 2022, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding risk of non-appearance. The Court also finds, however, that he failed to rebut the presumption regarding danger to the community. Moreover, and

in the alternative, the Court also finds, as explained on the record, that the government has sustained its burden by clear and convincing evidence that defendant poses a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on December 28, 2022.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge